

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING -- June 15, 1966

Appeal No. 8800 Lillian S. Sevilla Sacasa, appellant

The Zoning Administrator of the District of Columbia, appellee

On motion duly made, seconded and unanimously carried, the following Order was entered by the Board at its meeting on June 22, 1966.

ORDERED:

That the appeal for permission to establish a private school known as the Brazilian American Culture Institute, Inc. at 3233 Ellicott St., N.W., lot 810, Square 2033, be denied.

As a result of an inspection of the property and from the record and the evidence adduced at the public hearing, the Board finds the following facts:

- (1) Appellant's property is located in an R-1-A District.
- (2) An exterior inspection of the property was made by the Board on June 13, 1966.
- (3) The subject lot contains 62,790 square feet of land, having a 237.22 foot frontage on Ellicott Street and a depth of over 300 feet. The lot is improved with a two story stucco building. A circular drive leads to the house. The property has much shrubbery and other plant life. The neighborhood contains many very large residences.
- (4) The building has 18 rooms and was erected and used for many years as a residence and later as a girls boarding school by Order of this Board in Appeal No. 3990. The property has now been vacant for about 2½ years.
- (5) It is requested that the property be used as a language school to foster cultural relations between Brazil and the United States. The school would sponsor art exhibits, concerts, and lectures. The language lessons would be conducted one hour a session twice a week. Normally, the courses would have a maximum of 20 students in the building at one time, but there might be occasions when the number would be as high as 40 students. Classes would be carried on during the hours of 6:00 p.m. to 9:00 p.m. Other classes would be held in the morning twice a week and in the afternoon twice a week--from 10:00 a.m. to 11:00 a.m. and from 4:00 to 5:00 p.m.
- (6) All of the students at the school would be adults, principally business men and young people who work and study languages after hours.
- (7) Only a janitor would live on the premises. No students would reside on the premises.

(8) The school is now located at 2129 S Street, N.W. in an R-3 District.

(9) It was asserted that no more than 20 percent of the students would come by private transportation, that most would use public transportation, and that the cars that would be used could be parked on the site.

(10) The building would also house the offices for the Culture News, a monthly bulletin about Brazil. There would also be facilities for answering questions concerning Brazil and an office for art exhibits, which are sent around the country to various colleges and universities.

(11) The offices would employ twelve (12) people.

(12) This appeal, as filed, did not include a request for a variance to permit an office use on the subject premises.

(13) The appeal is opposed by the Forest Hills Citizens Association and the record contains five (5) letters from residents of the neighborhood stating their opposition.

In addition, eight (8) persons appeared at the public hearing to oppose the granting of this appeal.

(14) The objections were that the proposed school would create a traffic hazard, deteriorate the values of surrounding property, and destroy the strictly residential character of the neighborhood.

OPINION:

The R-1-A classification is the most restrictive residential zoning in the District of Columbia. The applicable statutes require that we find that the school "is not likely to become objectionable to adjoining and nearby property because of noise, traffic, number of students, or otherwise objectionable conditions." In an R-1-A District, this limitation must be very strictly interpreted. We cannot find that an influx of students, although adults, during the day and early evening hours, will not create objectionable conditions in a residential neighborhood. Except for embassies, this area is developed by large single family residences. The size and value of the homes in this neighborhood demand that there be maintained a quiet residential character. It is unlikely that the number of students proposed for this school will not create objectionable conditions.

In addition, this large residence contains 18 rooms. The school will only occupy a small portion of the premises while the balance will be used for offices. Such a facility, financed and controlled, at least in part, by the Brazilian Government has no place in a residential neighborhood. A commercial site would be more conducive to this type of activity.

We conclude that the establishment of a school at this proposed location would not be in harmony with the general purpose and intent of the Zoning Regulations and Maps and would tend to affect adversely the use of neighboring property, which is zoned and developed by single family residences. We reach the same conclusion with respect to the proposed office use.

The appeal must therefore be denied.